S.B.Cr.Misc. II Bail App. No. 675/2007
(Rajan Vs. State of Rajasthan)

Date of order : 17/04/2007

HON'BLE MR.H.R.PANWAR, J.

Mr. Sanjay Mathur for the petitioner.

Mr. B.L.Tiwari, Public Prosecutor.

This is second bail application. The first bail application came to be dismissed on 4.12.2006 as it was not pressed by the counsel for the petitioner.

Heard learned counsel for the petitioner and the Public Prosecutor for the State.

Learned counsel for the petitioner submits that the statement of prosecutrix PW-10 has now been recorded and she has not supported the prosecution case and turned hostile. The statement of prosecutrix PW-10 has been placed on record. I have carefully gone through the statement of prosecutrix PW-10. The prosecutrix has not supported the prosecution case and has been declared hostile.

Looking to the facts and circumstances of the case and the fact that the prosecutrix has not supported the prosecution case, having considered the oral arguments advanced by both the parties, I think it just and proper to enlarge the accused petitioner on bail.

Accordingly, this second bail application filed under Sec. 439 Cr.P.C. is allowed and it is directed that petitioner Rajan S/o Narayan Mochi be released on bail in FIR No. 198/2006 P.S. Dhambola, district Dungarpur, provided he executes a personal bond for a sum of

Rs.20,000/- with two sound and solvent sureties in the sum of Rs. 10,000/- each to the satisfaction of learned trial court for his appearance before that court on each and every date of hearing and whenever called upon to do so till the completion of the trial.

(H.R.PANWAR), J.

RP